

iii.

Transcript of Proceedings and Testimony  
(8041-8076-8256)—(Continued):

Witnesses for Plaintiff James L. Winton:

Larson, Robert C.

—direct .....	113
—cross .....	123

Sicke, Kurt H.

—direct .....	105
—cross .....	112

Witness for United States of America:

Capps, Albert M.

—direct .....	126
—cross .....	137
—redirect .....	143

	Original	Print
Proceedings in the U.S.C.A. for the Ninth Circuit Minute entry of argument and submission (omitted in printing)	241	241
←Order directing filing of opinion and filing and recording of judgment	242	241
Opinion, Hamley, J.	243	242
Judgment	257	255
Clerk's certificate (omitted in printing)	258	255
Order allowing certiorari	259	256

In the District Court of the United States  
for the District of Oregon

Civil No. 8041

HENRY L. HESS, JR., Administrator of the  
Estate of George William Graham, Deceased,  
Plaintiff,

vs.

UNITED STATES OF AMERICA, Defendant.

### COMPLAINT

Plaintiff for cause of action against the defendant alleges as follows:

#### I.

This action is brought under and the court has jurisdiction of the cause by virtue of Title 28, § 1346 (b) F.C.A.

#### II.

That plaintiff was on or about the 4th day of April, 1955 appointed administrator of the Estate of George William Graham, Deceased by order of the Circuit Court of the State of Oregon for Multnomah County; thereafter qualified, is now and ever since said date has been the duly appointed, qualified and acting administrator of said estate.

#### III.

That plaintiff's decedent was to the time of his death a resident of Cowlitz County, Washington, and no person entitled to bring this action as a named beneficiary under O. R. S. 654.325 is a resident of the State of Oregon.